



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER OF PATENTS

March 16, 2005

Gregory D. Williams
New England Biolabs, Inc.
32 Tozer Road
Beverly, MA 01915

In re Application of:

Morgan, et al

Serial No: 10/617,361

On Petition

Filing Date: July 10, 2003

For: **NOVEL TYPE II RESTRICTION ENDONUCLEASE, BTGZI, OBTAINABLE BACILLUS THERMOGLUCOSIDASIUS 36A AND A PROCESS FOR PRODUCING THE SAME**

In response to the petition received May 24, 2004, to withdraw the holding of abandonment in the above application.

The petition is Granted.

The above-identified application became abandoned for failure to reply with the meaning of 37 C.D.R 1.113 in a timely manner to the Notice to File Missing Parts of Nonprovisional Application mailed October 14, 2003. Which set forth a shortened statutory period for reply of two months. Accordingly, the above-identified application became abandoned December 15, 2003.

The evidence submitted is sufficient to establish that the petitioners never received the Notice to File Missing Parts of Nonprovisional Application mailed October 15, 2003.

The application will be completed with the documents received on May 24, 2004 and released to Technology Center 1645.

The office regrets any inconvenience this may have caused the client.

Telephone inquiries concerning this application may be directed to Doshie E. Day (703) 308-3640.

Doshie E. Day
Program Management Assistant
Office of Initial Patent Examination